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 and Vi Healthcare Finance, Inc.

**UNITED STATES BANKRUPTCY COURT
 EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION**

In re:

SOUTHERN INYO HEALTHCARE
 DISTRICT,

Chapter 9 Debtor.

SOUTHERN INYO HEALTHCARE
 DISTRICT,

Plaintiff,

v.

HEALTHCARE CONGLOMERATE
 ASSOCIATES, LLC; VI HEALTHCARE
 FINANCE, INC.; and DOES 1 through 10,

Defendants.

Case No.: 16-10015-A-9

Chapter 9

Adv. Case No.: 18-01031-A

DCN: JSS-01

Hearing

Date: June 26, 2019

Time: 2:00 p.m.

Place: 5th Fl. Ct. Rm. 11

United States Bankruptcy Court
 2500 Tulare Street
 Fresno, CA

Judge: Honorable Fredrick E. Clement

**STIPULATION TO FURTHER CONTINUE STATUS CONFERENCE AND HEARING
 ON MOTION FOR PRELIMINARY INJUNCTION AGAINST VI HEALTHCARE
 FINANCE, INC., FOR SEQUESTRATION OF TAX REVENUES PENDING FINAL
 RULING ON THE MERITS OF THIS ADVERSARY CASE OR FURTHER ORDER OF
THIS COURT**

1 IT IS HEREBY STIPULATED AND AGREED by and between VI Healthcare Finance,
2 Inc. ("Defendant") and Southern Inyo Healthcare District ("Plaintiff"), by counsel, as follows:

3 1. On November 1, 2018, the Plaintiff filed a *Motion for Preliminary Injunction*
4 *Against VI Healthcare Finance, Inc., For Sequestration of Tax Revenues Pending Final Ruling On*
5 *The Merits Of This Adversary Case Or Further Order Of This Court* (the "Motion") [Dkt. No. 29].

6 2. The hearing on the Motion was originally scheduled to take place on November 29,
7 2018 at 2:00 p.m.

8 3. On November 9, 2018, parties stipulated [Dkt. No. 39], and the court made its
9 order approving the stipulation [Dkt. No. 43], to continue the hearing date and time to December
10 19, 2018, at 2:00 p.m.

11 4. On December 7, 2018, the Court made its order approving the parties Stipulation
12 to Further Continue the Hearing with modifications from December 19, 2018 to January 23, 2019
13 at 2:00 p.m. [Dkt. No. 47].

14 5. On January 2, 2109, the parties stipulated [Dkt. No. 57] to further continue the
15 hearing date and time on the Motion to April 24, 2019 [Dkt. No. 57].

16 6. The Court made its *Order Continuing Status Conference and Order Approving*
17 *Stipulation to Further Continue Hearing on Motion for Preliminary Injunction against Vi*
18 *Healthcare Finance, Inc., for Sequestration of Tax Revenues Pending Final Ruling on the Merits*
19 *of this Adversary Case or Further Order of this Court*, which continued hearing on the Motion to
20 May 1, 2019 at 2:00 p.m. and also continued the Status Conference in the adversary proceeding to
21 May 1, 2019 at 2:00 p.m. [Dkt. No. 59].

22 7. Based upon the stipulation of the parties, on April 2, 2019, the Court made a
23 subsequent *Order Continuing Status Conference and Order Approving Stipulation to Further*
24 *Continue Hearing on Motion for Preliminary Injunction against Vi Healthcare Finance, Inc., for*
25 *Sequestration of Tax Revenues Pending Final Ruling on the Merits of this Adversary Case or*
26 *Further Order of this Court*, which continued hearing on the Motion to June 26, 2019 at 2:00
27 p.m. and also continued the Status Conference in the adversary proceeding to June 26, 2019 at
28 2:00 p.m. [Dkt. No. 62].

1 8. Since the Court's last order continuing the hearing on the Motion, the Plaintiff has
2 retained new general bankruptcy counsel and has agreed to mediate its disputes with the
3 Defendants in this adversary proceeding sometime in July of this year at a date, time and place to
4 be determined.

5 9. Under the circumstances, Defendant and Plaintiff believe it would be mutually
6 beneficial to wait and see if the proposed mediation will be successful and have agreed to
7 continue the hearing again on the Motion from June 26, 2019, at 2:00 p.m. to August 28, 2019, at
8 2:00 p.m.

9 10. Defendant and Plaintiff agree to continue the hearing on the Motion to August 28,
10 2019, at 2:00 p.m., provided that the Inyo County tax revenues at issue in the Motion (the "Tax
11 Revenues") are protected from distribution to any party pending a determination on the Motion
12 by the Court on August 28, 2019;

13 11. Plaintiff may further supplement the Motion on or before August 7, 2019.
14 Defendant's opposition to the Motion shall be served and filed no later than August 14, 2019, and
15 any reply to the opposition shall be served and filed no later than August 21, 2019.

16 12. Plaintiff and Defendant agree that pending a determination on the Motion at the
17 hearing on August 28, 2019 at 2:00 p.m., the Tax Revenues shall not be disbursed to either party
18 and if any disbursement is inadvertently made, any and all Tax Revenues received shall be held
19 and sequestered pending this Court's determination of the Motion.

20 13. This stipulation is without prejudice to the Defendant's right to oppose the Motion
21 or otherwise oppose the adversary proceeding on the merits.

22 14. The Status Conference in this proceeding, currently scheduled for June 26, 2019,
23 at 2:00 p.m. shall also be continued to August 28, 2019, at 2:00 p.m. and the parties will file a
24 joint status report and a joint statement of readiness for decision with respect to the Motion no
25 later than August 21, 2019.

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15. The parties stipulate and agree to entry of an order approving this Stipulation.

Dated: June 3, 2019

KLEIN, DENATALE, GOLDNER, COOPER,
ROSENLIB & KIMBALL LLP

By: 
HAGOP T. BEDOYAN, Attorneys for Vi
Healthcare Finance, Inc. and Healthcare
Conglomerate Associates, LLC

Dated: June 3, 2019

JEFFREY S. SHINBROT, APLC

By: /s/ Jeffrey S. Shinbrot
JEFFREY S. SHINBROT, Special
Litigation Counsel for Southern Inyo
Healthcare District